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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/546,550	08/23/2005	Manabu Iwamoto	590157-2029	8504
Matthew K Ryan Frommer Lawrence & Haug 745 Fifth Avenue New York, NY 10151				
EXAMINER				
YAN, REN LUO				
ART UNIT		PAPER NUMBER		
2854				
MAIL DATE		DELIVERY MODE		
02/12/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/546,550

Applicant(s)

IWAMOTO ET AL.

Examiner

Ren L. Yan

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-17 is/are pending in the application.
- 4a) Of the above claim(s) 17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-893)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 11-29-2005

DETAILED ACTION

Applicant's election without traverse of Fig. 2 species with readable claims 7-16 in the reply filed on 11-23-2007 is acknowledged.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 7-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki(6,530,519).

With respect to claim 7, Suzuki teaches the structure of an image forming system as claimed comprising a mounting portion 2 in which an expendable 3 or 4 provided with a storage means 6 or 7 in which distinguishment information representing whether the expendable is a compatible (applicable) product is stored is removably installed, a read out means 8 or 9 which reads out the distinguishment information stored in the storage means of the expendable installed in the mounting portion, and a control means 5 which controls operation of a predetermined object to be controlled operation of which is to be controlled in relation to the expendable on the basis of a control information according to the distinguishment information when the distinguishment information read out by the read out means represents that the expendable is a compatible (applicable) product, whereby the predetermined object to be controlled is caused to operate by the control means to form an image on the basis of the control information according

to the distinguishment information, wherein the improvement comprises that a control information input means (the collating means built into the control means 5) for inputting control information of the object to be controlled when the distinguishment information read out from the storage means of the expendable by the read out means represents that the expendable is an incompatible product is further provided and the control means controls the operation of the object to be controlled on the basis of the control information input by the control information input means when the distinguishment information read out from the storage means of the expendable represents that the expendable is an incompatible product. Suzuki teaches when the expendable is an inapplicable product, the control unit 5 performs the protecting function for preventing use of an inapplicable expendable and, at the same time, automatically adjusts the matching parameters for desired functions of the image forming apparatus such that normal printing operation can be carried out. See Figs. 1-4, column 6, line 29 through column 7, line 41 and column 8, lines 40-49 in Suzuki for details.

Regarding claim 8, Suzuki teaches the control means waits for, when the distinguishment information read out from the storage means of the expendable represents that the expendable is an incompatible product, input of the control information by the control information input means, and then controls operation of the object to be controlled on the basis of the control information input after input of the control information by the control information input means.

Regarding claim 9, Suzuki teaches further comprising a display means 24 which, when the distinguishment information read out from the storage means of the expendable represents that the expendable is an incompatible product, displays an initial control information which has been set in advance.

Regarding claim 10, Suzuki teaches further comprising a display means 24 which, when the distinguishment information read out from the storage means of the expendable represents that the expendable is an incompatible product, displays an initial control information which has been set in advance.

Regarding claim 11, Suzuki teaches further comprising a display means 24 which, when the distinguishment information read out from the storage means of the expendable represents that the expendable is an incompatible product and at the same time when a control information according to the distinguishment information read out can be read out from the storage means, displays the control information according to the distinguishment information.

Regarding claim 12, Suzuki teaches further comprising a display means 24 which, when the distinguishment information read out from the storage means of the expendable represents that the expendable is an incompatible product and at the same time when a control information according to the distinguishment information read out can be read out from the storage means, displays the control information according to the distinguishment information.

Regarding claim 13, Suzuki teaches further comprising a display means 24 which displays the distinguishment information stored in the storage means.

Regarding claim 14, Suzuki teaches the control information input means can input only a part of a plurality of pieces of control information.

Regarding claim 15, Suzuki teaches the storage means comprises a memory IC.

Regarding claim 16, Suzuki teaches the structure of a stencil printer comprising a printing drum around which a stencil is wound, a press roller which is pressed against the printing drum, a mounting portion 2 in which an ink container 3 which is filled with ink and is provided with a

storage means 6 in which distinguishment information representing whether the ink container is a compatible (applicable) product is stored is removably installed, a read out means 8 which reads out the distinguishment information stored in the storage means of the ink container installed in the mounting portion, and a control means 5 which controls operation of the press roller on the basis of a control information according to the distinguishment information when the distinguishment information read out by the read out means represents that the ink container is a compatible product, wherein the improvement comprises that a control information input means (the collating means built into the control means 5) for inputting control information of the press roller when the distinguishment information read out from the storage means of the ink container by the read out means represents that the ink container is an incompatible product is further provided and the control means controls the printing pressure of the press roller on the basis of the control information input by the control information input means when the distinguishment information read out from the storage means of the ink container represents that the ink container is an incompatible product. Suzuki teaches adjusting the printing pressure under which the press roller presses the printing paper against the ink roller through the stencil master according to the viscosity of the ink. That is, the lower the viscosity of the ink is, the lower the printing pressure is set and, the higher the viscosity of the ink is, the higher the printing pressure is set. See column 8, lines 40-49 in Suzuki. The Examiner notes when the viscosity of the ink in the ink container is lower or higher than a predetermined value in Suzuki, the ink and the ink container is considered as inapplicable and adjustment of the printing parameters such as printing pressure applied by the press roller is carried out in order to enable normal printing operation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren L. Yan whose telephone number is 571-272-2173. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ren L Yan/
Primary Examiner, Art Unit 2854
Feb. 5, 2008